

Application Serial No. 09/937,326

Atty. Docket No. 019219-013**REMARKS**

Claims 1-9 were pending in the application. Claim 1 was amended to change the term "comprising" to "containing" to clarify that the superabsorbent material includes or contains the non-acidic compounds defined in the claims; the non-acidic compounds are not themselves the superabsorbent material. Claim 7 was amended to delete "such as a diaper" and new claim 10 was added directed to this embodiment of the invention. Claims 1-10 are now pending.

An abstract was required and has been provided. The abstract included herewith is identical to the abstract of the published PCT application from which this application was filed under 35 U.S.C. § 371.

Claims 6 and 7 were rejected under 35 U.S.C. § 112, second paragraph. This rejection is believed to be moot in view of the amendments to the claims and Applicants request that it be withdrawn.

Claims 1-9 were rejected under 35 U.S.C. § 102(e) as being anticipated by Hansen et al., U.S. Patent No. 6,521,087. Applicants respectfully traverse this rejection.

Independent claim 1 is directed to a superabsorbent material which contains a non-acidic compound selected from acid anhydrides, lactides, lactones and hydrolysable esters. The superabsorbent material as defined in the rejected claims has enhanced odor control and prevents bacterial growth. *Page 1, lines 4-5.*

Hansen et al. is directed to a binder which is applied to particles which are then combined with fibers to bind the particles to the fibers. The particles have functional sites for forming a hydrogen bond or a coordinate covalent bond. The fibers have hydrogen bonding functional sites. The binder comprises binder molecules, the binder molecules having at least one functional group that is capable

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of forming a hydrogen bond or a coordinate covalent bond with the particles, and at least one functional group that is capable of forming a hydrogen bond with the fibers.

Abstract.

According to the Office Action, "Hansen discloses the use of superabsorbent material that is made of superabsorbent fibers, where binder material such as gluconolactone...is added and bonded to the surface of the superabsorbent fibers...." This is not the case. Rather, Hansen describes a material with fibers, a binder and particles. In especially preferred embodiments, the fibers are cellulosic and the particles are superabsorbent particles that are bound to the binder by hydrogen bonds. *Column 6, lines 54-56*. The fibers are described in detail at least in columns 11 and 12. The binders are described in detail at least in columns 21-31. The particles are described in detail at least in columns 12-21. A large number of particle types are listed, including superabsorbent particles (*Column 15, lines 20-60*), water insoluble particulates (*Table I*) and water-soluble particulates, including gluconolactone (*Table II*). Hansen states that the particles listed in Table II have chemical properties that make them suitable for binding to fibers with the binders of the invention. *Column 20, lines 40-42*.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Hansen does not disclose each and every feature of the invention as defined in the rejected claims. Rather, Hansen describes a number of fibers which may be bonded with any of an extremely large number of particulates using certain binder materials. The particulate material may be a superabsorbent or other particles. Hansen does not include any teaching that any one specific particulate from Table II

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may be used with a superabsorbent material as claimed or that such a combination will provide odor control and prevent bacterial growth. Thus, Hansen does not disclose to one of skill in the art a material which is a superabsorbent material containing a non-acidic compound selected from acid anhydrides, lactides, lactones and hydrolysable esters. In view thereof, Hansen does not anticipate the invention as defined in the rejected claims and Applicants respectfully request that this rejection be withdrawn.

Applicants believe they have responded to all matters raised in the above referenced Office Action and that the application is now in condition for allowance. If the Examiner has any questions concerning this Application or this Reply and Amendment, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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I hereby certify that this correspondence is being filed by facsimile transmission to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450, to facsimile number 1.703.872.9302 on this date, October 6, 2003.

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ABSTRACT

A superabsorbent material with enhanced odour control and control of bacterial growth comprises a non-acidic, alkali-neutralizing compound selected from acid anhydrides, lactides, lactones and hydrolysable esters, especially cyclic acid anhydrides, lactides and lactones of γ - or δ -carboxylic acids. The superabsorbent material can be used in hygiene products such as diapers.